



**IOWA DEPARTMENT OF NATURAL RESOURCES**

**May 15, 2008**

**For immediate release**

- 1. Fish kill in Linn County may be linked to swimming pool discharges**
- 2. EPC elected officers Tuesday**
- 3. DNR enforcement actions**

## **FISH KILL IN LINN COUNTY MAY BE LINKED TO SWIMMING POOL DISCHARGES**

**MEDIA CONTACT: Mike Wade at (563) 927-2640 or [mike.wade@dnr.iowa.gov](mailto:mike.wade@dnr.iowa.gov)**

MARION – Residents in a Marion neighborhood reported dead fish to the DNR Wednesday afternoon, although the fish had reportedly been dead for two days.

A DNR investigator found dead worms, and both live and dead fish in a small, unnamed urban stream that flows to Squaw Creek. He traced the likely pollutant source to discharges from swimming pools that were recently treated with chlorine.

“Neighbors told me that two days ago the fish were trying to jump out of the stream,” said Mike Wade of the Manchester DNR field office. “That would indicate some kind of acutely toxic pollutant, such as chlorine, had entered the stream. Water with high chlorine concentrations is also extremely toxic to worms.”

He added that dumping chlorinated water to a stream is technically a violation of state law.

“Most people don’t realize that something they dump in the stream or down the storm sewer drain is actually a pollutant and can kill fish or other aquatic life,” he said. “Spring is an especially vulnerable time for fish which are already under stress from spawning.”

Wade recommends that people keep all pollutants out of streams and storm sewers. Paints, chemicals, fertilizers – all of these should be disposed of properly, not in a pipe or ditch that leads directly to a stream.

For pool owners, he recommends letting their pools air for several days after shock treatment. Another alternative is to add a chlorine-neutralizing agent before draining them.

Dead fish included small creek chubs and stonerollers.

The DNR will not be pursuing appropriate legal action, because there was no evidence of chlorine at the scene and due to other potential sources of toxic pollutants in the storm water drainage area.

Fish kills should be reported as soon as they are discovered to the DNR 24-hour spill line at (515) 281-8694. Prompt reporting helps DNR staff to identify the source of the pollutant so that future releases can be prevented.

*Writer: Karen Grimes*

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## **EPC ELECTED OFFICERS TUESDAY**

**MEDIA CONTACT: Karen Grimes at (515) 281-5135.**

DES MOINES – The Environmental Protection Commission elected Henry Marquard of Muscatine, Iowa, as the chair person at its regular monthly meeting Tuesday. Marquard replaces David Petty of Eldora as chair.

Charlotte Hubbell of Des Moines and Suzanne Morrow of Storm Lake were reelected as vice chair and secretary respectively.

Look for more information about the commission on the DNR Web site under Commissions and Boards at [www.iowadnr.gov](http://www.iowadnr.gov).

The members of the commission are Henry Marquard, chair, Muscatine; Charlotte Hubbell, vice chair, Des Moines; Suzanne Morrow, secretary, Storm Lake; David Petty, Eldora; Ralph Klemme, LeMars; Susan Heathcote, Des Moines; and Paul Johnson, Decorah. The director of the DNR is Richard Leopold.

*Writer: Karen Grimes*

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## **DNR ENFORCEMENT ACTIONS**

**MEDIA CONTACT: Jessie Brown at (515) 281-5131.**

DES MOINES — The DNR has taken the following enforcement actions. The following are only briefs; please contact Jessie Brown of the DNR for more information at (515) 281-5131.

Enforcement actions, including copies of the original orders and contact information, are available on the DNR's Web site at [www.iowadnr.gov/legal/eactions.html](http://www.iowadnr.gov/legal/eactions.html). The Web listing offers orders first taken in 2007 or 2008 (amendments to orders issued prior to 2007 are not listed).

### **Consent Orders**

A consent order is issued as an alternative to issuing an administrative order. A consent order indicates that the DNR has voluntarily entered into a legally enforceable agreement with the other party.

#### **Buena Vista County**

- Binder Trucking, Inc., of Rembrandt, agreed in a consent order to cease all illegal discharges to waters of the State, pay \$623.54 in fish kill restitution and an \$8,000 penalty. The consent order is in regard to land application of wastewater from a truck wash in Buena Vista County that resulted in a fish kill.

#### **Calhoun County**

- Mark Petersen, of Sac City, agreed in a consent order to properly retain and apply manure, to submit a manure management plan and fees to the DNR, to properly dispose of dead animals within 24 hours of death, and to pay a \$4,000 penalty. The consent order is in regard to manure releases and improper animal disposal at an animal feeding operation in Calhoun County.

#### **Cedar County**

- William Norton, of Tipton, agreed in a consent order to cease all illegal discharges, to obtain an operation permit and to pay a \$2,500 penalty. The consent order is in regard to illegal discharge of spoiled milk from a dairy operation in Cedar County to Sugar Creek.

#### **Dallas, Polk Counties**

- Stonegate Land Company, L.C., of West Des Moines, agreed in a consent order to pay an \$8,000 penalty. The consent order is in regard to stormwater violations at a development site in Clive in Dallas County.

#### **Floyd County**

- VeraSun Charles City, LLC, of Charles City, agreed in a consent order to pay a \$9,000 penalty. The consent order is in regard to air quality permitting violations at the Charles City ethanol plant.

### **Jefferson County**

- Dexter Laundry, Inc., of Fairfield, agreed in a consent order to pay a \$10,000 penalty, or pay a \$2,500 penalty and put \$7,500 towards a supplemental environmental project (SEP). Dexter Laundry has proposed installing a new water pretreatment system as the SEP. The consent order is in regard to wastewater violations.

### **Louisa County**

- Doug Harris, of Morning Sun, agreed in a consent order to submit a plan of action to the DNR outlining steps to ensure surface waters do not enter his manure pits, pay \$4,196.42 in fish restitution and pay a \$5,000 penalty. The consent order is in regard to a manure discharge and resulting fish kill in Otter Creek.

### **Osceola County**

- The City of Ocheyedun agreed in a consent order to comply with a schedule for improvements to its wastewater facility, to properly operate and maintain the existing facilities, and to pay stipulated penalties if deadlines are not met. The consent order is in regard to effluent limit, operation and maintenance violations at the city's wastewater treatment facility.

### **Taylor County**

- The City of Bedford agreed in a consent order to have a city employee attend an asbestos inspector training course, submit proof of course completion, and pay a \$2,000 penalty. The consent order is in regard to asbestos violations during a demolition project at the Farrens Building in Bedford.

### **Washington County**

- DeLong Construction, Inc., of Washington, agreed in a consent order to pay a \$3,000 penalty. The consent order is in regard to asbestos violations at a demolition project at Washington County Hospital.

### **Winneshiek County**

- Steve Elsbernd, of Ridgeway, agreed in a consent order to submit a plan of action to the DNR addressing adequate manure storage, submit a structural engineer's evaluation of his concrete manure storage structure to the DNR, pay \$2,010.30 in fish restitution and pay a \$3,500 penalty. The consent order is in regard to a manure release into Ten Mile Creek and a resulting fish kill.

### **Consent Amendments**

A consent amendment is issued in settlement of a previous administrative order or to amend a pre-existing consent order. A consent amendment indicates that the DNR has voluntarily entered into a legally enforceable agreement with the other party.

**Linn County**

- The City of Cedar Rapids agreed in a consent amendment to maintain all lift stations to avoid or minimize bypassing, promptly report all bypasses as required by rule, and pay a \$3,000 penalty. This amends a 2004 administrative order regarding wastewater violations.
- Iowa Quality Beef Supply Cooperative, of Cedar Rapids, and the DNR agreed in a consent amendment to rescind a penalty originally assessed in a 2005 administrative order, as the facility is no longer in operation and is financially incapable of paying the penalty.

**Mitchell County**

- John Schmall, dba Carpenter Bar and Grill, of Carpenter, agreed in a consent amendment to apply for a water supply operation permit prior to reopening Carpenter Bar and Grill; comply with treatment, sampling and reporting requirements; obtain a construction permit to install a continuous disinfection system and pay a \$1,000 penalty. This amends a 2003 administrative order regarding drinking water supply violations.

**O'Brien County**

- The City of Sutherland agreed in a consent amendment to comply with a revised schedule for an upgrade to the city's wastewater treatment facilities and to pay stipulated penalties if deadlines are not met. This amends a 2004 administrative order regarding wastewater violations.

*Writer: Jessie Brown*